

## CHAPTER – V

### MAJOR FINDINGS, CONCLUSION AND RECOMMENDATIONS

The present study pertains to the functioning of the Panchayati Raj Institution in Sikkim particularly after passing of Constitution (73<sup>rd</sup> Amendment) Act, 1992. In the absence of systematic sociological studies on Panchayati Raj Institution in the state, this present study is undertaken with attempts to examine the new Panchayati Raj structure and its functioning with special reference to devolution of power, functions, empowerment of women and marginalized sections, fiscal decentralization and resource mobilization, the extent of autonomy enjoyed by the Gram Panchayat, state of benefits from developmental schemes, empowerment of *Gram Sabha*, role of bureaucracy and administrative decentralization. The new structure established and functions transferred to Panchayati Raj Institution under the Sikkim Panchayat Act, 1993 is expected to yield better desired result fulfilling the objectives of economic development and social justice. The composition of Panchayati Raj Institution and implementation of new model may have some bearing on the Panchayati Raj process in the state, which has been investigated under the present study. The present empirical study has also examined the facilitating factors as well as the obstacles to empower the local people in promoting their own development process and decentralization being progressed in the state of Sikkim.

In conformity with the requirement of the Constitution (73<sup>rd</sup> Amendment) Act, 1992 the Sikkim Government passed the Sikkim Panchayat Act, 1993 (Act No. 6 of 1993) which received the assent of the Governor on 11.10.1993. The Act repealing the earlier Sikkim

Panchayat Act, 1982 became effective from August, 1995 by the notification of the State Government. The Act 1993 incorporates all the essential provisions of the Amendment Act such as regular election in every five years; reservation of seats and offices for women, Scheduled Castes and Scheduled Tribes; local level planning, provision of a forum for direct participation by the village people through the *Gram Sabha*; a democratic framework for devolution of fund and transfer of functions; constitution of State Election Commission; State Finance Commission and District Planning Committee. Mere inclusion and making of provisions under the Act is not enough. It is important to examine as how far these provisions have been effectively implemented and is successfully operationalized in reality. Hence, the present empirical study has examined the functions of newly-strengthened local self-government in Sikkim with the help of study conducted in four sample Gram Panchayats viz. Kabi-Tingda, Samdur-Tadong, Lungchok-Salyangdang and Salghari from North, East, West and South districts respectively. Major findings prevalent in present study have been presented below.

## **Major Findings**

One of the objectives of the present study is to trace back the historical evolution of Panchayati Raj Institution in Sikkim. The study has divided the evolutionary history of Panchayati Raj in Sikkim, taking into account the 16<sup>th</sup> May, 1975 the day on which Sikkim was merged with Indian union as one of the states, into three phases viz. panchayats during the pre-merger period (prior to 1975), panchayats during the post-merger period (after 1975) <sup>n</sup> and panchayats under the present study (after enactment of Amendment Act, 1992 and Sikkim Panchayat Act, 1993). Prior to Sikkim becoming a constituent state of India, it was under British Protectorate from 1817 to 1947. Before introduction of statutory

panchayat, the state had well organized and developed system of traditional local self-government in the form of tribal village councils which was known as *Dzumsa* and *Chhodu* among the *Bhutia* and *Lepcha* tribes respectively. Other than the areas covered by these tribal councils, the state was divided into different *illakas* or estates where *mondals* were appointed for the regulation of the intra-village affairs, maintenance of law and order and collection of land revenue. Later these *illaka* and *mondal* system paved the way for establishing statutory panchayats in state. Thus the state has passed through the stages of non-statutory panchayats to the modern statutory phase. In the journey towards establishing rural local self-government by empowering Panchayati Raj Institution, several notifications have been issued, Acts have been enacted by the state government for governing the village administration. The Panchayat Tribunal of 1948, Local Area Panchayat of 1951, Sikkim Panchayat Act of 1965 and 1982 have brought about tremendous changes in the structure, composition and functions of Panchayati Raj Institution in Sikkim. The modern phase culminated with the enacting of Sikkim Panchayat Act, 1993 in conformity with the Constitution (73<sup>rd</sup> Amendment) Act, 1992 finally constitutionalized the panchayats as the institution of local self-government constituted for the rural areas.

The Amendment Act envisages empowered *Gram Sabha* as the parliament of the people at the village level to which the Gram Panchayats are solely responsible. In the present scenario of Panchayati Raj set up the *Gram Sabha* has a key role in effective functioning of panchayats. The Sikkim Panchayat Act, 1993, besides making provision for constituting Gram Panchayat and Zilla Panchayat at village and district levels respectively has also made provision for formation of *Gram Sabha* at the *gram* level and every person who is eligible to vote to elect members of the Gram Panchayat and Zilla Panchayat shall be a

member of *Gram Sabha*. With a view to strengthen the *Gram Sabha*, the government of Sikkim has already passed the Sikkim Panchayat (Procedure for Convening and Conducting the Meeting of *Gram Sabha*) Rules, 1998. Considering the *Gram Sabha* as head and heart of the entire scheme of decentralization and an effective mechanism of direct democracy, 230 *Gram Sabha* members from four sample Gram Panchayats are interviewed and their views on wide gamut of issues related to functioning of panchayats have been collected.

One of the important objectives of Panchayati Raj Institution is to establish a participatory democracy through democratic decentralization so that the members of *Gram Sabha* comprised of all the adult residents of the village not only deliberate but also participate with its executives i.e. the Gram Panchayat in planning and implementation of various programmes. While asking their views on the objectives of the Panchayati Raj Institutions, the majority of the respondents have expressed that the main objective of the Panchayati Raj Institution is to establish local self-government at the grass-root level and the bodies to encourage people to participate in the local affairs. A few respondents have expressed their views that the objective of the Panchayati Raj Institution is to act as an agent of rural development. This shows the slow attitudinal changes being taken place in the general people towards the real objectives of Panchayati Raj Institutions. Understanding Panchayati Raj Institution not as an agent of rural development but to inculcate in the minds as a people's body is a positive indication for success of Panchayati Raj Institutions.

When asked the respondents to express their opinion about the question of assigning full powers and responsibilities of rural development to the Panchayati Raj Institutions, it is surprising to note that almost an equal percentage of respondents have replied both in

favour and in against. The failure of the *Gram Sabha* members to identify themselves with the developmental activities, lack of knowledge and education and incapable in their role in planning and implementation of rural development schemes may be the reasons for their negative attitude towards assigning full powers of rural development to the Panchayati Raj Institutions. Many respondents have boldly said that the benefit of the scheme for rural development do not actually reach to the poor and the target groups for whom it is prepared. The selection of beneficiary of the schemes have not been done properly and democratically as they are always influenced by the party bosses. Many respondent have even alleged that the elected representatives are more corrupt than the state bureaucracy. Hence, they should not be given full powers and responsibilities of rural development.

As regards their views on people's participation in *Gram Sabha* meetings, it is revealed that 11.30 per cent of the members regularly and actively participate in the meeting. This category of *Gram Sabha* members represent the politically conscious and aware group about developmental activities of the village. They are the people who actively take part in the discussion and selection of schemes required for the village in order of priority and their presence also fulfills the quorum of 10 per cent of members to be present in the meeting. 70 per cent of the respondents have said that they attend meeting sometimes i.e. whenever they are free and feel like attending the meeting. The rest of the members i.e. about 18.69 per cent of the respondents have said that they do not attend the *Gram Sabha* meeting. The common reason for not attending the meeting is lack of time as they are busy in bread earning activities; lack of faith in the utility of such meetings and village leadership, who are not ready to take them in confidence and accept suggestion from poor people like them. The majority of the respondents who do not attend such *Gram Sabha* meeting have expressed their

opinion that elected leaders being mostly young members are not ready to accept any suggestions from older village people. They listen to their political bosses rather than the village poor.

In all the sample Gram Panchayats under study it has been found that the *Gram Sabha* meetings are held regularly. They have strictly followed the provision under the Act of 1993 by holding the *Gram* meeting at least twice in a year. Not only the *Gram Sabha* meetings are held regularly but also the attendance fulfills the number required for quorum. It is found recently that the meetings of the *Gram Sabha* are attended not only by the bonafide members but also by a number of concerned officials viz. DDO, SDDO, PI, RDA, VLW along with the area MLAs. It is a matter of great surprise that when asked about the agenda of the *Gram Sabha*, majority of the respondents have said that they have no role regarding preparation of the agenda. It is mostly decided by the *Sabhapati* in consultation with other elected members and of course on the dictation of the ruling party and influential bureaucrats. A few respondents have expressed their anger that the Gram Panchayat members do not consult the villagers prior to finalizing agenda. The respondents have suggested that ward-level meetings convened by the concerned ward representatives should be held prior to the fixing of the agenda. The most common issues discussed in such *Gram Sabha* meetings are the statement of the income and expenditure of the Gram Panchayat. There is no clear idea among the villagers about the purpose of this institution. Many people have failed to understand the purpose of such forum. It is learnt that even those who attend the *Gram Sabha* meetings hardly give any suggestions in the meeting. They act as mere audience to whatever the *Sabhapati* or any other members of the *Gram Sabha* speak about.

The majority of the members, in another interview, have said that they are freely allowed to express their opinion in such meetings. Normally they can not express their heart and mind because the deliberations and discussions in such meetings are dominated by *Sabhapati*, *Sachiva* and local politicians including influential bureaucrats. As regards increase of financial resources, encouragement of people for voluntary works and voluntary contribution of cash and kind for the welfare of the common people, no one is aware. In the absence of such awareness among the common people, sometimes the *Gram Sabha* meeting becomes a mere platform for expressing one's anger and grudge against the ruling party or the ruling government.

As far as the decision making process of *Gram Sabha* is concerned, the majority of the members of *Gram Sabha* follow the principle of consensus as there are no strong opposition parties at the Gram Panchayat level who demand for secret ballot. The Act, 1993 has provided that all resolutions at the *Gram Sabha* level shall be passed by a majority of votes of the members present in the meeting. This formal procedure is slowly in the process of adoption by many Gram Panchayats. In the meeting of all the four sample Gram Panchayats, consensus expressed by raising of hands have been adopted. The selection of beneficiaries under various schemes is one of the most important functions assigned to the *Gram Sabha*. The majority of respondents have said that the selection of beneficiaries is not done properly because the panchayat leaders protect the interest of their party followers and close relatives. They discriminate those people who do not belong to their own political party. Regarding the formulation of village level planning, many *Gram Sabha* members have expressed their views that though they attend *Gram Sabha* meetings yet they do not get opportunity to actively involve in formulating the village plan because the activities of the *Gram Sabha*, the only forum, where the grass-root

people can raise their voice have been jeopardized by the presence of huge numbers of officials in the meeting. The formulation of annual plan is done by elected representatives but even these people have no freedom in plan formulation for their village because they have to strictly abide by the government guidelines regarding the allocation and expenditure of fund under various sectors. Thus, planning is not done from below but from the top. It is learnt during the field work that recently notification has been issued by the state government for the formation of Village Planning Forum comprising of the members of the Gram Panchayat and representatives of village, such as village elders, teachers, youth and government officials posted in the village. The formation of such forum will definitely promote decentralized democracy but we are yet to see as how these bodies will realize the objectives for which it has been set up.

Another forum meant for people's participation is the Social Audit-cum-Vigilance Committee. This has been formed recently in accordance with the guidelines issued by the state government vide notification dated 01.09.2005. The main purpose behind the formation of such committee is to curb corruption and misutilization of fund at the Gram Panchayat level. It is an important complement to formal audit for the sound and healthy development of Panchayati Raj Institutions. As per the guidelines issued, this committee should be comprised of minimum ten representatives at least one person from each ward to be nominated as a committee member. No panchayat members or a person holding the office of profit shall be included in the committee. During the field work, many respondents have complained that while nominating the representatives from each ward, villagers were not consulted properly and the panchayat leaders always became successful to manipulate to have their own party-men as members of such committees. It is found that a very few *Gram Sabha* members could understand the term Social Audit-cum-Vigilance Committee. Hence, there is a need to

popularize among the people about this committee. People should be made more aware about the formation of such committees and its twin purposes of facilitating popular participation in fighting corruption in panchayats as well as complementing formal audit process. Though the state of Sikkim has been taking several measures to strengthen the *Gram Sabha* as a forum for popular participation yet it needs more efforts for enhancing the quality of people's participation through greater empowerment of *Gram Sabha*.

In Sikkim, the process of decentralization has already been set in motion. During the earlier days of uni-tier Block Panchayat, the elected forum were an elitist look. In 1997 election, with the implementation of principle of reservation, the character of panchayats of Sikkim has changed radically. In their effort to get candidates in the seats reserved for women, Scheduled Castes, Scheduled Tribes, and Other Backward Classes, the political parties have to give nomination to a plethora of rural people. The new cross-section of the elected representatives are comprised of illiterate and literate, high castes and low castes, men and women, tribals and non-tribals, old and young, poor and rich and experienced and inexperienced persons. It becomes clear that the character of panchayat leadership has undergone tremendous change. No longer does one find that it is the village rich man who is managing the panchayats. The formal seats for power have been occupied by all types of people and are adequately all weaker sections are represented. It is evident that young leaders are taking more interest in panchayat elections. Tendency to elect young leader particularly in the age group of 30 years to 40 years is noticeable. It shows that the voters prefer contestants of younger generation who would be dynamic than the aged people. As regards women's participation, the policy of one-third reservation for women both at Gram and Zilla levels have encouraged more women to take active participation in grass-root politics. In 1982

Gram Panchayat elections, out of the total number of 150 women panchayats, the majority (130) were co-opted and 20 women were directly elected. In 2002 election, out of the total of 903 Gram Panchayat representatives, 305 (i.e. 33.77 per cent) women were elected. In the midst of many unsupportive factors and forces, women look for supportive opportunities and moved forward to demonstrate their capacities and abilities to hold such position in the panchayats. This was aptly illustrated in the case of two *Sherpa* women panchayats under the study.

As far as capacity building of elected representatives is concerned, it is noticed that the state government is taking active initiative to impart training to elected representatives. Since 1997, State Institute of Rural Development (SIRD), Karfector, South Sikkim is arranging massive training to elected representatives to make them aware about the administrative technique as well as to procure knowledge of various Acts and guidelines of government regarding the overall development of the village. In view of huge functions transferred to the Panchayati Raj Institutions, the capacity building of the elected representatives is an urgent need. It is found that though the training are being organized both at the district as well as in the state levels yet the leaders are not fully aware of all the information and knowledge that are required to work independently. Without adequate knowledge and information, they are to depend on bureaucrats as well as to politicians for regular guidance.

One of the most important functions assigned to the local bodies under the Constitution (73<sup>rd</sup> Amendment) Act, 1992 was the planning for social and economic development. The Amendment Act has given decentralized planning a constitutional status. Section 127 of the Sikkim Panchayat Act, 1993 as amended by the Sikkim Panchayat (Amendment) Act, 1995 empowers the Gram and Zilla Panchayats to make their own

plans. The District Planning Committees have been set up in each district to consolidate the plan prepared by the Gram Panchayats and to prepare draft development plan for the district as a whole. With a view to ensuring active involvement of the people not only in identification and formulation of plan but also in implementation and maintenance of the assets thus created. The State Finance Commission has recommended the constitution of Gram Panchayat Planning Forum in every Gram Panchayat comprising of all elected members of the Gram Panchayat, one senior citizen or a resident government official from each ward and one representatives each from Below Poverty Level/Scheduled Castes/Scheduled Tribes/Other Backward Classes/Women category to be nominated by the *Gram Sabha*.

Thus, planning is decentralized in order to ensure that Panchayati Raj Institutions do not remain only as agencies to execute decision taken by state government. Keeping in view the provision of the Eleventh Schedule of the Constitution and in exercise of the powers conferred by Section 34 of the Sikkim Panchayat Act, 1993, the Government of Sikkim has already transferred the functions pertaining to various development departments such as agriculture, animal husbandry, health and family welfare, education (including primary and pre-primary), rural development including water supply and rural bridges, land revenue, minor irrigation and social forestry. Now every Gram Panchayat can sanction, supervise and implement rural development schemes upto Rs. 3.00 lakhs at a time subject to availability of fund.

Panchayat's role in rural development was found to be quite exemplary. Panchayats to a large extent is successful in promoting social welfare, rural infrastructure, providing employment and thereby improving the overall conditions of the people of rural Sikkim. At present their activities involve employment generation, poverty

alleviation, infrastructural development, ensuring social justice. They have been working on issues like improvement of roads, school buildings, drinking water facilities, housing and drainage. At present all the poverty alleviation programmes including both employment generation and income generation are successfully handled by Gram Panchayats. The schemes like JRY, IAY, IRDP, TRYSEM, DWCRA, EAS are found to be very popular and successful. Under IAY scheme, a total 2,392 number of rural houses were constructed during 2000-2003 with an allocation of Rs. 490.37 lakhs, 1,488 number of houses were upgraded at the cost of Rs. 144.84 lakhs. With the transfer of management and supervisory functions of the primary and pre-primary education to Gram Panchayat, the teachers have become more regular and accountable than before which is clear from the increasing rate of enrolment and decreasing rate of school dropouts at primary school levels. As regards the aspect of primary health, the state government has already placed the management of the Primary Health Sub-centre (PHSC) at the disposal of the panchayat and the Multipurpose Health Assistant is made accountable to them. The Gram Panchayat are responsible for organizing health camps and awareness campaign in the villages in co-ordination with the concerned officials besides rendering assistance in implementation of Reproductive Child Health Programme (RCHP). All these efforts have led to improvement of rural health. Although a lot more need to be done to improve the conditions of the people in rural Sikkim, the activities pursued by Gram Panchayat in the realm of rural development are found to be quite substantial. The Panchayati Raj Institutions have been successful to a large extent as indicated by increased social and political awareness among the common people in rural areas and the very tangible upliftment of the overall conditions of rural people including Scheduled Castes, Scheduled Tribes and Other Back Classes population. The recent success of Panchayati Raj

Institutions in regard to rural development activities has been made possible due to genuine political will of the ruling government at the state level. This, however, does not mean that all is well with the functioning of Gram Panchayat. There is corruption to in development works. It goes without saying that corruption is the biggest obstacle to development and the panchayat under study are no exception. The ruling party is well aware of such corruption and it is well known facts that many leaders at panchayat level are indulging in nepotism and corruption while allotting works and other benefits to those who are close to them.

Availability of adequate resource is one of the vital aspects related to establishment of the Panchayati Raj Institution as an institution of local self-government. No institution can function satisfactorily without adequate and timely financial backup. In other words, self-sufficiency and fiscal autonomy are of primary importance for the proper functioning of Panchayati Raj Institutions. During the last five years, the Government of Sikkim has undertaken several measures to strengthen the financial position of the panchayats. Now the state government is releasing grants for developmental and administrative purposes as per the recommendation of the State Finance Commission, Grants are also being released by the Union Government for implementation of centrally sponsored schemes viz. JRY, IAY, EAS and IRDP. It is disheartening to note that the huge fiscal power given to the Panchayati Raj Institutions under the Sikkim Panchayat Act, 1993 have not been exercised by the Gram Panchayat due to number of reasons. The most important reason is the non-exercise of tax-raising authorities by local bodies in the absence of clear guidelines of the state government. Thus fiscal autonomy of Panchayati Raj Institutions are far from adequacy because they have no fiscal power other than to depend on government grants. Some village leaders have alleged that panchayats have no autonomy to divert or

utilize the state grant according to their wishes and requirement as detailed guidelines for uses of fund are already framed and circulated for compliance by the state government. With no resources of their own, effectiveness of these bodies depend totally on the grants from the central and state government. With the absence of fiscal autonomy to raise their own income from tax and non-tax sources, the cherished objective of becoming a self-government will remain a distant dream.

Another equally important aspect for the effective functioning of Panchayati Raj Institutions is the good working relationship between elected representatives and panchayat officials. The recent democratic decentralization effected through 73<sup>rd</sup> Amendment Act has led to the transfer of important powers and functions from the officials to elected representatives of the people. As a result of debureaucratization and creation of parallel hierarchies of authority, there is clear erosion in the prerogatives, powers and privileges of the officials. Attitudinal problems in the bureaucracy and panchayat representatives is one of the root causes of conflict, specially while preparing the beneficiary list, identification of activities, monitoring and evaluation of schemes. The study revealed that the elected representatives and the panchayat officials' relationship seems to be governed by the need to sanction fund rather than by a desire to strengthen the Panchayati Raj Institutions. Despite nearly a decade's experience, a relationship has not been able to evolve and stabilize itself to a situation whereby the bureaucracy plays a supportive role and facilitates effective self-governance by panchayati institution. The bureaucracy should accept and respect the institution of empowered panchayats otherwise gradually the system will again become dependent on the existing system of centralized governance. This acceptance has to be translated into field reality and should not be limited to mere paper works.

As already discussed under methodology chapter, the present study has also incorporated the perceptions of sample panchayat officials regarding the administrative decentralization and the overall functioning of Panchayati Raj Institutions in the state. It is a well accepted fact that the objectives of the local self-government can not be fulfilled without the commitment from both the development officials and elected representatives. The recent initiatives of the state government for the administrative decentralization restructuring the existing administrative set up both at Gram and Zilla Panchayat levels brought development functionaries directly under the control of the elected representatives. The emergence of newly empowered constitutionalised panchayats have pressurized the government machineries to forget their past experiences and adjust in the changed situation.

The commitment of the state government regarding the transfer of functions and functionaries to Panchayati Raj Institutions is noteworthy. Prior to democratic decentralization there were very few panchayat officials and development functionaries attached to the Gram and Zilla Panchayats. State government in its latest attempt towards administrative strengthening of Panchayati Raj Institutions had taken a number of significant steps like setting up of Gram Prasashan Kendra (Village Administrative Centre) in every Gram Panchayat units, deployment of Rural Development Assistant as its incharge and posting of line department officials to Gram and Zilla Panchayat. Placement of development functionaries working under Gram and Zilla Panchayats under the direct control and supervision of the people's representatives and vesting of discretionary powers to *Sabhapati* and *Adhakshya* for maintaining administrative decorum and smooth functioning of the Panchayati Raj Institutions are the main changes. In this context, the sample officials have expressed their diverse opinions regarding the present staffing pattern of Panchayati Raj Institutions. The majority

expressed their opinion that considering the huge transfer of functions to the Panchayati Raj Institutions, the present staffing pattern is still inadequate. They have also commented that the huge transferred functions especially to Gram Panchayat have not been operationalised due to lack of clear cut directives from some of the government department. Some of the officials have expressed that the state government's initiative for deployment of officials under the control of the elected representative will certainly help the Panchayati Raj Institutions to perform the functions effectively. The present study also reveals the willingness of sample officials to support the responsibilities like collection of revenue from local sources, settling of minor legal problems, maintenance of community assets, supervision of developmental schemes, regulating the water supply schemes and maintenance of village road entrusted to the elected representatives. The study also reveals that the officials are not in favour of allowing the elected representatives to write the Annual Confidential Report of the officials, award permission of felling trees, collection of fines on settlement of disputes etc. Some of the officials are also of the opinion that some of the present panchayat leaders are more corrupt than the previous one. Due to low level of education and lack of proper knowledge about powers and authorities bestowed to them by the Acts, sometime they encroach beyond their jurisdiction resulting development of strain relationship with officials. The perception of the sample officials regarding the fiscal decentralization of Panchayati Raj Institutions and the panchayat representatives inability to exercise the power of tax-raising reveals that the Gram Panchayats have failed to raise local revenue due to numbers of reasons like incompetency and incapability on the part of the elected leaders on financial management and accounting, lack of faith and confidence on the part of the panchayat leaders, reluctancy to impose taxes due to the fear of loosing votes, lack

of political will of the ruling government, strong opposition from villagers to pay taxes as they have completely failed to convince the villagers to make them understand that mobilization of locally collected revenues will be utilized for developmental purposes and finally, the most important reasons being the absence of clear cut instruction and guidance from the government for collection of taxes. The study also reveals the difficulties faced by the sample officials while implementing the developmental schemes in the villages. Some of the main difficulties encountered by them are the lack of proper co-ordination between the Gram Panchayats and the development functionaries, lack of support in obtaining No Objection Certificate from land owners in areas where implementation of schemes are undertaken and finally due to communication gap which is mainly because of inadequate communication facilities prevailing in the villages vis-à-vis remoteness of the areas.

The present study also reveals the perception of the sample officers regarding the operational difficulties in decentralized governance. The weakness lie within the institution itself which is evident in the form of various authoritative powers being shared with utter confusion at the two tiers levels. This confusion is due to lack of awareness among the panchayat representatives. The power to identify and select the beneficiaries lie with the Gram Panchayat whereas the Zilla Panchayat sanctions the prepared list. The Zilla Panchayat will exercising the power may alter or reject the list prepared by the Gram Panchayat without much understanding the local requirement where the Gram Panchayat in giving weightage to the needy may not prepare the list as desired by the Zilla Panchayat. In this process the actual implementers of many programmes i.e the officials are not consulted who are ultimately accountable to Gram and Zilla Panchayats. Due to the absence of unclear power and responsibilities between the two tiers of

the panchayat system, they sometimes encroach the functions of each other and create confusion and misunderstanding which results difficulties in implementation of schemes.

## **Conclusion**

On the basis of the above findings, the following conclusions are drawn.

The most significant experiment in reforming governance in India, from the point of view of participatory democratic decentralization perspective, is the introduction of the panchayat system through the 73<sup>rd</sup> Constitutional Amendment in the early nineties. It was expected that the newly created panchayat system, drawing strength from the constitutional provision, would emerge as an effective tool of local self-governance, strongly furthering the primary objectives of economic growth and social justice. Unfortunately these expectation have remained largely unfulfilled.

Sikkim, among the small states, is viewed by many as one of the better performing states in respect of initiatives for democratic decentralization through Panchayati Raj. In 2006, in the nationwide survey on the performance of Panchayati Raj Institution, Sikkim rank third with only Kerala and Karnataka above it and received Rs. 1.2 crores as prize money. Sikkim also received Rs. 64.00 lakh as award towards Panchayat Empowerment and Accountability Fund. Further the union government has already sanctioned an I.T. Enabled E-Government Fund of Rs. 5.20 crores out of which Rs. 2.00 crores has already been received and the balance is receivable within the current financial year. The most significant reason for its recognition as better performed state is mainly because of strong political will of the ruling government for strengthening and supporting the panchayat system to take its due

place in the system of governance. The strong political will and government support can clearly be seen in framing of progressive Acts, continuous delegation and devolution of powers, authorities and rules to panchayat Institutions. Despite of these efforts and initiatives taken by the state government, the panchayat system in Sikkim is continuously plagued by immense difficulties.

The present study strongly brings out the contradictory realities of the panchayat system in Sikkim. On <sup>the</sup> one hand, there is progressive legislation, policies and guidelines for the panchayat backed by strong political will, on the other hand, the ground reality clearly indicates weak and ineffective implementation of the panchayat system leading to a little progress on the path of real democratic decentralization. An analysis of ten years of functioning of Panchayati Raj in the state indicates that despite of several attempts by the government and civil society, the Panchayati Raj Institutions could not emerge as people's institutions. The state government has also recognized the growing distortions in the panchayat system which has been reflected by the political bosses openly criticizing the malpractices adopted by some of the elected representatives.

The study clearly identifies three board sets of issues that are hampering the development of an effective panchayat system in the state. Firstly, there is resistance and non-cooperation from the bureaucracy by way of providing inadequate financial back up, red-tapism, corruption etc. Secondly, resistance from the political elites who have considered panchayats to be serious threat to their political career and finally elected representatives themselves are lacking in capacities to run the panchayat effectively. Lack of information among the common people about the Panchayati Raj Institution and lack of political education among the ordinary people whose political role is critical and effective

in functioning of panchayat are the bottlenecks. Incapabilities and ineffectiveness of *Sabhapati* and *Sachiva* to manage the panchayat efficiently despite several years of functioning of Panchayati Raj Institution in Sikkim are the burning examples.

Though the study strongly presents the problems of the panchayat system yet the study also brings out another layer of reality – the process of empowerment of the marginalized people including Scheduled Castes, Scheduled tribes, Other Backward Classes and women have ensured effective use of panchayats for sincere participatory democracy. The cases of empowerment of women, Scheduled Caste, Scheduled Tribes, decision making through empowered *Gram Sabha* arranging the development priorities in favour of the people's need and aspiration discussed in the thesis are all very significant examples and raise hopes for the betterment of the panchayat system, despite its shortcomings.

Credit is to be given to the government of Sikkim for its sincerity and commitment to democratic decentralization. The government has been extremely receptive to ground realities about the inadequacy of the panchayat system and has continuously strive to devise strategies for making panchayat effective institution of local self-governance.

### **Recommendations.**

The following recommendations are proposed in order to strengthen the process of rural decentralization in the state of Sikkim.

The *Gram Sabha* should be given greater importance. Attempts should be made to further strengthen the *Gram Sabha* as they not only have the potential to rectify emerging distortion in the system but also are the best guarantor of accountability of all functionaries involved in Panchayati Raj Institutions. It is the only forum for direct participation

of grass-root level people. Vibrant and empowered *Gram Sabha* can make the entire system accountable, transparent and an instrument of effective self-governance. It is the responsibilities of the elected representatives to ensure active and meaningful participation of village people in the *Gram Sabha* meeting. They should realize that an aware and concerned citizen is a boon not an obstacle to their power and positions.

The capacity of the panchayat representatives as well as the development functionaries need to be enhanced to understand the intricacies and technicalities of a local government system. Since the 1997 panchayat election, a large section of village population are getting opportunities to represent themselves in Panchayati Raj Institution. This newly empowered village representatives from the grass-root level with low education and awareness are unable to understand the legal and administrative procedures. They need to build their capacity to handle huge functions already transferred to them. Therefore, there is an urgent need for elected representatives to learn management of democracy and development. Not only the elected representatives but even the lower level development functionaries are not clear about their role in Panchayati Raj Institution set up, hence, proper capacity building through adequate and appropriate training is essential.

Self-sufficiency and fiscal autonomy are the primary importance for the proper functioning of Panchayati Raj Institution. There is minimum fiscal decentralization which remains under the control of the government. Panchayats are not given adequate opportunities to raise their income by levying and collecting taxes, fees, duties but have been made dependent on government grant. This is against the spirit of 73<sup>rd</sup> Amendment Act. Hence, the state government should allow the panchayats to raise their own income for this issuance of guidelines,

directives and notifications in conformity with the recommendation of the state finance commission recommended.

Need for transparency is one of the important factors for the successful functioning of Panchayati Raj system. Panchayats being closer to the people, their right to information and accessibility to the panchayats must be ensured. All relevant information on development schemes taken up by the panchayats along with budget for them should be displayed prominently in the notice board of the panchayat office. Relevant records should be made available for inspections by members of the public. Photocopies of documents such as muster rolls, vouchers and estimate can be made available to the public on payment of nominal fee. Technical manual may be prepared for execution of various works at the panchayat level so that transparency can be ensured.

Recent guidelines of the state government for the formation of Social Audit-cum-Vigilance Committee at Gram Panchayat level needs wide publicity among the village people about its formations, members and its purpose for fighting corruption. The committee should be operationalised and should not remain in paper.

Devolution of more powers and funds to panchayat have half heartedly been done by some of the development departments except Rural Management and Development Department. Therefore, all development departments should be serious and forthwith start devolution of powers and fund to the panchayats to make the Panchayati Raj Institution more effective. Without immediate action in this respect, the notification of the government transferring a huge function to panchayat carry no meaning.

A separate body or institution (like Ombudsman in Kerala) should be set up to deal with complaints regarding mal-administration and

corruption in Panchayati Raj Institution administration. This will act as fact-finding and problem-solving body without the trapping of a court. Time limits can be set for such bodies to complete its enquiries. Before taking actions against the complaints of elected representatives, the government should get the report from such body.

Activity mapping on Panchayati Raj Institution tiers is considered to be of more importance to ensure that there will be no overlapping of responsibilities and activities. Since the Gram Panchayat is answerable to *Gram Sabha* in regard to different developmental activities, strengthening of Gram Panchayat is very essential part of such exercise. Government should issue clear guidelines defining the role of each tiers so that there is no overlapping and encroachment upon others jurisdiction resulting in conflict, confusion and non-performance of functions.

There is need to constitute Standing Committee both at Gram and Zilla Panchayat levels to ensure effective working and monitoring which would ensure active and effectiveness of *Gram Sabha*. For better discharge of rural development functions like education, health, literacy, agriculture, social justice, infrastructure building, village tourism, cottage industries, the Gram Panchayat may constitute Standing Committees and additional adhoc committees (as and when required). These implementation Committees comprising of stakeholders groups should be made accountable and responsible to *Gram Sabha* and should work under its control and supervision.

Periodic monitoring and evaluation of rural development works executed by the Gram Panchayat is necessary as it would provide the essential feed back for removing the defects of schemes, if any. Monitoring the work may be delegated to the people within the Gram

Panchayat organization but work on evaluation should be entrusted to outside agencies like NGO, government agencies, funding agencies as because if the evaluation is done by the members of the Gram panchayat, biasness may creep in it.

Co-ordination and communication between Gram Panchayat and other local level organizations are essential for effective functioning of Panchayati Raj Institution. An efforts must be made to establish proper co-ordination and communication between Gram Panchayat and other civil society actors, like youth organizations, women's organization etc. In order to make effective co-ordination between Gram Panchayat and these local level organizations (NGOS), their representatives may be nominated as member of different committees formed at Gram Panchayat level. The role of NGO may be very vital in this regard.